

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

PAUL LERMAN, TRUSTEE/ASSIGNOR)	CASE NO. 1:09CV2485
OF THAT CERTAIN TRUST)	
AGREEMENT AND ASSIGNMENT FOR)	
THE BENEFIT OF CREDITORS OF)	
LOPRESTI & SONS, INC., DATED)	JUDGE BOYKO
APRIL 13, 2009)	
)	
Plaintiff,)	
)	MAGISTRATE JUDGE VECCHIARELLI
v.)	
)	
SERVICETIME CO., LLC,)	REPORT AND RECOMMENDATION
)	Docket #7
Defendant.)	

This case is before the magistrate judge by referral. Pending is the motion of plaintiff, the trustee/assignor, for a stay pending the decision of the probate court approving or disapproving the parties' tentative settlement. Doc. No. 7. The stay should be granted and the parties should be required to report every 45 days regarding the status of the tentative settlement in the probate court.

Dated: November 30, 2009

/s/ Nancy A. Vecchiarelli
Nancy A. Vecchiarelli
United States Magistrate Judge

OBJECTIONS

Any objections to this Report and Recommendation must be filed with the Clerk of Courts within ten (10) days after the party objecting has been served with a copy of this Report and Recommendation. Failure to file objections within the specified time may waive the right to appeal the District Court's order. See [*United States v. Walters*, 638 F.2d 947 \(6th Cir. 1981\)](#). See also [*Thomas v. Arn*, 474 U.S. 140 \(1985\), reh'g denied, 474 U.S. 1111.](#)